

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY

DR. WAGIH H. MAKKY, :  
 :  
Plaintiff, : HONORABLE JOSEPH E. IRENAS  
 :  
v. : CIVIL ACTION NO. 06-4329 (JEI)  
 :

**ORDER**

MICHAEL CHERTOFF, Secretary of:  
the Department of Homeland :  
Security, in his official :  
capacity; KIP HAWLEY, :  
Director, Transportation :  
Security Administration, in :  
his official capacity; :  
DEPARTMENT OF HOMELAND :  
SECURITY; TRANSPORTATION :  
SECURITY ADMINISTRATION; :  
OFFICE OF PERSONNEL :  
MANAGEMENT; and FEDERAL :  
BUREAU OF INVESTIGATION, :  
 :  
Defendants. :

**APPEARANCES:**

SETON HALL UNIVERSITY SCHOOL OF LAW  
CENTER FOR SOCIAL JUSTICE  
By: Baher Azmy, Esq.  
Joseph Farano, Clinic Student  
Jesse Ehnert, Clinic Student  
Alexandra Pitney, Clinic Student  
833 McCarter Highway  
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Counsel for Plaintiff

U.S. DEPARTMENT OF JUSTICE  
By: Steven Yale Bressler, Esq.  
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Washington, DC 20001

CHRISTOPHER CHRISTIE, UNITED STATES ATTORNEY  
By: Yanet Perez Noble, Esq.  
970 BROAD STREET  
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Newark, NJ 07102  
Counsel for Defendants

**IRENAS**, Senior District Judge:

This matter having appeared before the Court upon Defendants' partial Motion to Dismiss and partial Motion for Summary Judgment, (Docket No. 12), and Plaintiff's Cross Motion to Continue Summary Judgment (Docket No. 21), the Court having considered the submissions of the parties, for the reasons set forth in an Opinion issued by this Court on even date herewith, and for good cause appearing;

**IT IS** on this 31<sup>st</sup> day of May, 2007,

**ORDERED THAT:**

1. Defendants' partial Motion to Dismiss and partial Motion for Summary Judgment (Docket No. 12) is hereby **GRANTED**.
2. Plaintiff's Cross-Motion to Continue Summary Judgment (Docket No. 21) is hereby **DENIED**.
3. The Clerk of Court is directed to **CLOSE** this case.

s/ Joseph E. Irenas  
JOSEPH E. IRENAS, S.U.S.D.J.